

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Deborah Yates
Debtor(s)

Bankruptcy Case No.: 16-23303-GLT
Issued Per 12/12/2016 Proceeding
Chapter: 13
Docket No.: 32 - 18
Concil. Conf.: March 9, 2017 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 18, 2014 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 9, 2017 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Washington County TCB to be paid at 9%.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

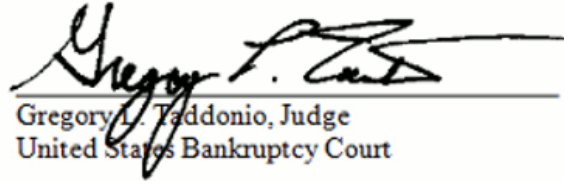
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: December 19, 2016

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Deborah Yates
 Debtor

Case No. 16-23303-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 34

Date Rcvd: Dec 19, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 21, 2016.

db +Deborah Yates, 210 Pleasantview Road, Finleyville, PA 15332-3021
 cr +Peoples Natural Gas Company LLC, Attention: Barbara Rodgers, 375 North Shore Drive,
 Pittsburgh, PA 15212-5866
 14284226 +B & B Orthopedics, 1145 Bower Hill Road, Pittsburgh, PA 15243-1342
 14284227 Capital One Bank (SA) N.A., c/o TSYS Debt Management, P.O. Box 5155,
 Norcross, GA 30091-5155
 14284228 Crescent Acceptance Corp., P.O. Box 241, Carnegie, PA 15106
 14284229 +Dorothy Rapp, 5649 Marilyn Drive, Pittsburgh, PA 15236-3355
 14284231 +EMC Mortgage, 3415 Vision Drive, Dept. OH4-7119, Columbus, OH 43219-6009
 14284232 +First Premier Bank, 601 S. Minnesota Avenue, Sioux Falls, SD 57104-4868
 14284233 +GM Card, Customer Service, P.O. Box 80083, Salinas, CA 93912-0083
 14284234 JC Penney Co., Inc./Momogram, Bankruptcy Dept., P.O. Box 533, Dallas, TX 75221-9913
 14284235 JD Rapp, 244 Delano Drive, Dallas, TX 75221-9913
 14284238 JP Morgan Chase Bank, N.A. as servicer, for U.S. Bank -TTEE Chase Records Center,
 Attn: Correspondence Mail, Mail Code LA4-5555, 700 Kansas Lane, Monroe, LA 71203
 14284237 +Jefferson Health Services, P.O. Box 37166M, Pittsburgh, PA 15250-0001
 14284239 +LaSalle Bank, N.A., 10790 Rancho Bernardo Road, San Diego, CA 92127-5705
 14284240 +Margaret Gairo, Esquire, McCabe, Wesiberg & Conway, P.C., 123 S. Broad Street, Suite 2080,
 Philadelphia, PA 19109-1031
 14284241 Max Recovery, Inc., P.O. Box 10228, Newark, NJ 07193-0228
 14284242 +Mon Valley Hospital, c/o Colonial Acceptance Co., 312 Fallowfield Avenue,
 Charleroi, PA 15022-1405
 14284243 +Monongahela Emergency Physicians, P.O. Box 28, Washington, PA 15301-0028
 14284245 +Radiology Associates of Western Pa., P.O. Box 90130, Pittsburgh, PA 15224-0530
 14284246 +Raymond P. Amatangelo, 312 Fallowfield Circle, Charleroi, PA 15022-1405
 14284247 +Ringgold Township and SD, c/o Pa Municipal Service Company, 336 Delaware Avenue,
 Oakmont, PA 15139-2138
 14284248 +Rudy Zelak, 3700 Route 88, Finleyville, PA 15332-1320
 14284249 +Smith & Nephew, 2985 Scott Street, Vista, CA 92081-8339
 14284250 +South Hills Radiology Associates, P.O. Box 13524, Pittsburgh, PA 15243-0524
 14284251 +Southwest Behavioral Care, c/o Colonial Acceptance Co., 312 Fallowfield Avenue,
 Charleroi, PA 15022-1405
 14284253 +Tri-Community South EMS, 5100 West Library Avenue, Bethel Park, PA 15102-2787
 14284254 +Verizon Wireless, Bankruptcy Dept., 500 Technology Drive, Suite 550,
 Weldon Spring, MO 63304-2225
 14284255 Washington County Tax Claim Bureau, 100 Beau Street, Courthouse Square,
 Washington, PA 15301
 14284257 +Waste Management of Youngstown, P.O. Box 4178, Youngstown, OH 44515-0178
 14284230 eCast Settlement Corporation, P.O. Box 34580, Newark, NJ 07193-5480

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14284225 E-mail/Text: bankruptcy@firstenergycorp.com Dec 20 2016 02:01:02 Allegheny Power,
 P.O. Box 1392, Fairmont, WV 26555-1392
 14284236 E-mail/Text: JCAP_BNC_Notices@jcap.com Dec 20 2016 02:01:16 Jefferson Capital Services, LLC,
 P.O. Box 7999, Saint Cloud, MN 56302-7999
 14284252 +E-mail/Text: PFS.Analyst@stclair.org Dec 20 2016 02:01:34 St. Clair Hospital,
 1000 Bower Hill Road, Pittsburgh, PA 15243-1899
 14284256 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Dec 20 2016 02:01:26
 Waste Management Co., c/o Credit Management Co., 2121 Noblestown Road,
 Pittsburgh, PA 15205-3956

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr U.S. Bank National Association, as Trustee, succes
 14284244 ##+Pittsburgh Post-Gazette, Attn: Credit Manager, 34 Blvd. of the Allies,
 Pittsburgh, PA 15222-1204

TOTALS: 1, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 34

Date Rcvd: Dec 19, 2016

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 21, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 19, 2016 at the address(es) listed below:

Joshua I. Goldman on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association as Trustee for EMC Mort bkgroup@kmlawgroup.com
Michael S. Geisler on behalf of Debtor Deborah Yates m.s.geisler@att.net, msgeis@yahoo.com;michaelgeisler13@gmail.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com, Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 5